



The Commonwealth of Massachusetts
DEPARTMENT OF
TELECOMMUNICATIONS AND ENERGY

RECEIVED

JUL 23 1999

FCC MAIL ROOM

DOCKET FILE COPY ORIGINAL

July 15, 1999

SENT VIA FEDERAL EXPRESS

Magalie Roman Salas, Secretary
Federal Communications Commission
Portals II, 445 12th Street SW, Suite TW-A325
Washington, DC 20554

re: DA 99-461, NSD-L-99-19, CC Docket No. 96-98
Massachusetts Department of Telecommunications and Energy's Petition for Waiver of
Section 52.19 to Implement Various Area Code Conservation Methods in the 508, 617,
781, and 978 Area Codes

Dear Ms. Salas:

Enclosed for filing in the above matter please find one original and five copies of the
Massachusetts Department of Telecommunications and Energy's supplemental comments to its
Petition for Waiver of Section 52.19 to Implement Various Area Code Conservation Methods in
the 508, 617, 781, and 978 Area Codes. This letter is intended to respond to the Commission's
public notice, DA 99-1198, released June 22, 1999, "Common Carrier Bureau seeks Comment
on State Utility Commission requests for Additional Authority to Implement
Telecommunications Numbering Conservation Measures."

I have filed a copy of these comments electronically with the Commission's ECFS
service (proceeding number 96-98).

No. of Copies rec'd
List ABCDE

copy

Kindly stamp one copy and return it to us in the enclosed Federal Express envelope.

Sincerely,

A handwritten signature in black ink that reads "Karlen J. Reed". The signature is written in a cursive, flowing style. The first name "Karlen" is followed by a vertical line and then the last name "Reed".

Karlen J. Reed, Esq.

KJR/kr

Enc.

cc: Al McCloud, CCB (w/2 encs.)
Mass. DTE Commission (w/enc.)
Paul G. Afonso, General Counsel (w/enc.)
Attached Service List (w/enc.)

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

NSD-L-99-19
CC Docket 96-98

MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY'S
SUPPLEMENTAL COMMENTS IN SUPPORT OF ITS PETITION FOR WAIVER OF
SECTION 52.19 TO IMPLEMENT VARIOUS AREA CODE CONSERVATION METHODS
IN THE 508, 617, 781, AND 978 AREA CODES

Massachusetts Department of
Telecommunications and Energy

Janet Gail Besser, Chair
James Connelly, Commissioner
W. Robert Keating, Commissioner
Paul B. Vasington, Commissioner
Eugene J. Sullivan, Jr., Commissioner

One South Station, 2nd Floor
Boston, MA 02110
617-305-3500

Dated: July 15, 1999

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

NSD-L-99-19
CC Docket 96-98

MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY'S
SUPPLEMENTAL COMMENTS IN SUPPORT OF ITS PETITION FOR WAIVER OF
SECTION 52.19 TO IMPLEMENT VARIOUS AREA CODE CONSERVATION METHODS
IN THE 508, 617, 781, AND 978 AREA CODES

In response to the Common Carrier Bureau of the Federal Communications Commission's ("FCC" or "Commission") Public Notice released June 22, 1999,¹ the Massachusetts Department of Telecommunications and Energy ("Department") respectfully submits these supplemental comments in support of its Petition for Waiver of Section 52.19 to Implement Various Area Code Conservation Methods in the 508, 617, 781, and 978 Area Codes ("Petition").² The Department files these brief supplemental comments to emphasize the urgent need for prompt action by the FCC to delegate interim authority to the Department.

Previously the Department has asked the Commission to order mandatory 1,000 block number pooling quickly on a nationwide scale and, in the interim, to allow Massachusetts to conduct number pooling trials in the critical area codes. The Department also asked the Commission to order reclamation of unused NXX codes nationwide and, on an interim basis, to delegate that authority to the Department.

¹ FCC Public Notice DA 99-1198, "Common Carrier Bureau Seeks Comment on State Utility Commission Requests for Additional Authority to Implement Telecommunications Numbering Conservation Measures" released June 22, 1999.

² The Department filed a Petition for Waiver of Section 52.19 to Implement Various Area Code Conservation Methods in the 508, 617, 781, and 978 Area Codes on February 17, 1999 (FCC Public Notice DA 99-461, NSD-L-99-19, released March 5, 1999).

The Department renews its requests for additional authority as presented in its Petition and in the area code conservation petitions submitted by New York, Maine, Florida, and California.³ Prompt action by the Commission is critical given the impending exhaust of Massachusetts' 508, 617, 781, and 978 area codes. The May 27, 1999 Notice of Proposed Rulemaking on numbering optimization measures represents significant progress towards resolving the nationwide area code crisis; however, the Department cannot afford to wait for completion of this rule making proceeding. Consequently, the Department requests an interim delegation of authority, including the authority to order mandatory 1,000 block number pooling and to reclaim unused NXX codes, with the understanding that this delegation will terminate upon implementation of nationwide numbering regulations.

The Department has been scrutinizing the Illinois number pooling trial reports and orders for guidance on optimal number pooling procedures. In particular the Department has considered the June 10, 1999 Hearing Examiner's Proposed Interim Order, approved by the Illinois Commerce Commission on June 30, 1999, which extends number pooling from the 847

³ The New York State Department of Public Service filed a Petition for Additional Delegated Authority to Implement Number Conservation Measures on February 19, 1999 (FCC Public Notice DA 99-462, NSD-L-99-21, released March 5, 1999). The Maine Public Utilities Commission filed a Petition for Additional Delegated Authority to Implement Number Conservation Measures on March 17, 1999 (FCC Public Notice DA 99-638, NSD-L-99-27, released April 1, 1999). The Florida Public Service Commission filed a Petition to Federal Communications Commission for Expedited Decision for Grant of Authority to Implement Number Conservation Measures on April 2, 1999 (FCC Public Notice DA 99-725, NSD-L-99-33, released April 15, 1999). The California Public Utilities Commission filed a Request for Delegation of Additional Authority Pertaining to Area Code Relief and to NXX Code Conservation Measures on April 23, 1999 (FCC Public Notice (FCC Public Notice NSD File No. L-98-136, released May 14, 1999).

area code in Chicago to the 312, 630, 708, and 773 Chicago area codes.⁴ Illinois and Massachusetts have similar area code exhaust concerns, and Illinois' number pooling experiences can provide an excellent model for number pooling in Massachusetts.

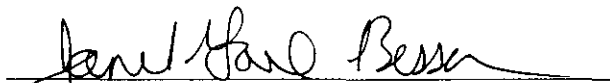
⁴ Illinois Commerce Commission Docket No. 98-0847, Lockheed Martin IMS Petition for Approval of NPA Relief Plans for the 312, 630, 708 and 773 NPAs, Hearing Examiner's Proposed Interim Order (dated June 10, 1999).

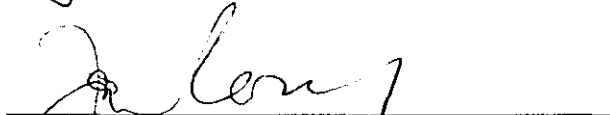
We urge the Commission to review the Department's Petition quickly and to grant the requested interim delegation of authority, pending completion of the May 27, 1999, Notice of Public Rulemaking.

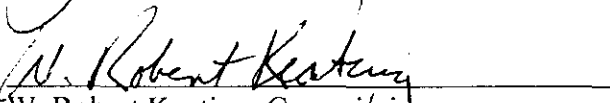
Respectfully submitted,

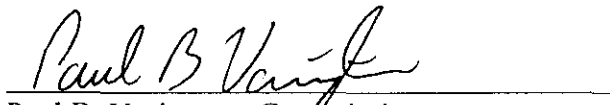
Massachusetts Department of
Telecommunications and Energy

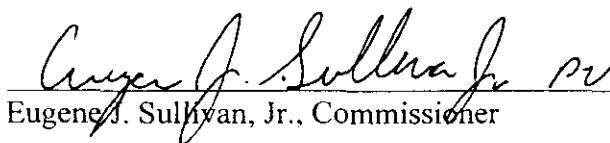
By:


Janet Gail Besser, Chair


James Connelly, Commissioner


W. Robert Keating, Commissioner


Paul B. Vasington, Commissioner


Eugene J. Sullivan, Jr., Commissioner

One South Station, 2nd Floor
Boston, MA 02110

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20054

The Massachusetts Department of)
Telecommunications and Energy's Petition)
for Waiver of Section 52.19 to Implement) NSD-L-99-19, DA 99-461
Various Area Code Conservation Methods) CC Docket 96-98
in the 508, 617, 781, and 978 Area Codes)

SERVICE LIST

Al McCloud
Network Services Division
Federal Communications Commission
Portals II, 445 12th Street SW
Suite 6A-320
Washington, DC 20554

Yog R. Varma
Deputy Bureau Chief
Common Carrier Bureau
Federal Communications Commission
Portals II, 445 12th Street SW
Room 5-C352
Washington, DC 20554

Anna Gomez
Division Chief, Network Services Division
Federal Communications Commission
Portals II, 445 12th Street SW
Room 6-A324
Washington, DC 20554

Blaise Scinto
Deputy Division Chief, Network Services Division
Federal Communications Commission
Portals II, 445 12th Street SW
Room 6-A240
Washington, DC 20554

Jared Carlson
Attorney Advisor, Network Services Division
Federal Communications Commission
Portals II, 445 12th Street SW
Room 6-A331
Washington, DC 20554

Jeanne Grimes, Special Assistant
North American Numbering Council
Federal Communications Commission
Portals II, 445 12th Street SW
Room 6-A401
Washington, DC 20554

Network Services Division Reference Center
Portals II, 445 12th Street, S.W.
Suite CY-A257
Washington, DC 20554

International Transcription Service
1231 20th Street, N.W.
Washington, DC 20036

Wayne Milby
NPA Senior Relief Planner
Lockheed Martin CIS
1133 15th Street NW
Washington, DC 20005

Cecilia Louie
CO Code Administrator
Lockheed Martin CIS
1800 Sutter Street, Suite 570
Concord, CA 94520

Cheryl Tritt, Esq.
Morrison & Foerester
2000 Pennsylvania Ave. NW
Washington, DC 20006

J. Bradford Ramsay
NARUC
1100 Pennsylvania Avenue
Suite 603
Washington, DC 20004

Governor A. Paul Cellucci
Commonwealth of Massachusetts
State House
Boston, MA 02133

Daniel Mitchell
Assistant Attorney General
Regulated Industries Division
Office of the Attorney General
200 Portland Street, 4th floor
Boston, MA 02114

Barbara Anne Sousa, Esq.
Bell Atlantic-Massachusetts
185 Franklin St., Room 1403
Boston, MA 02110

Kenneth W. Salinger, Esq.
Jeffrey F. Jones, Esq.
Palmer & Dodge LLP
One Beacon Street
Boston, MA 02108

Melinda Milberg, Esq.
AT&T Communications, Inc.
32 Avenue of the Americas, Room 2700
New York, NY 10013

Patricia Jacobs, Ph.D.
State Manager for Government Affairs
AT&T Communications of New England, Inc.
99 Bedford Street
Boston, MA 02111

Kenneth Ira Spigle, Esq.
Rosenberg, Freedman & Goldstein
246 Walnut Street
Newton, MA 02460

Elizabeth McJimsey, Esq.
Sprint Spectrum L.P. d/b/a Sprint PCS
4900 Main Street, 12th Floor
Kansas City, MO 64112

Ellen Schmidt, Esq.
Counsel, Director of Reg. Affairs
MediaOne Telecommunications of Massachusetts, Inc.
6 Campanelli Drive
Andover, MA 01890

Nathan T. Foose, Esq.
Martin Rothfelder, Esq.
The Rothfelder Law Offices
625 Central Avenue
Westfield, NJ 07090

Robert Shapiro, Esq.
Maribeth Ladd, Esq.
Rubin & Rudman, LLP
50 Rowes Wharf
Boston, MA 02110-3319

Robert L. Dewees, Jr., Esq.
Nixon Peabody LLP
101 Federal Street
Boston, MA 02110

Nichole J. LaBree
Manager - Regulatory Affairs
Cellular One
100 Lowder Brook Drive
Westwood, MA 02090

Cynthia A. Berry
Director - Regulatory Affairs
SNET Cellular, Inc.
500 Enterprise Drive - 3rd Floor
Rocky Hill, CT 06067-3900

Michael Adams, Esq.
Benjamin Dickens, Jr., Esq.
Blooston, Mordkofsky, Jackson & Dickens
2120 L Street, N.W.
Washington, DC 20037

Donna Alexander
Omnipoint Communications
50 Vision Boulevard
E. Providence, RI 02914

Janet Nanos
Regulatory Division
16 Wing Drive
Cedar Knolls, NJ 07927

Harvey C. Kaish, Esq.
Teresa Moore, Esq.
McCarter & English
Four Gateway Center, P.O. Box 652
Newark, NJ 07101

Daniel E. Mullin
Staff Director - Government Affairs
Bell Atlantic Mobile
180 Washington Valley Road
Bedminster, NJ 07921

Curtis L. Groves, Esq.
Hope H. Barbulescu, Esq.
MCI WorldCom
5 International Drive
Rye Brook, NY 10573-1095

Alan D. Mandl, Esq.
Ottenberg, Dunkless, Mandl & Mandl
260 Franklin Street, Suite 1880
Boston, MA 02110

Robert J. Munnelly, Jr., Esq.
New England Cable TV Assoc.
100 Grandview Road, Suite 201
Braintree, MA 02184

Paul Frisoli, President
SAS Security Systems
67 Pleasant Street
Watertown, MA 02172

Meabh Purcell, Esq.
LeBoeuf, Lamb, Greene & MacRae, LLP
260 Franklin Street
Boston, MA 02110-3173

Carolyn K. Stup, Esq.
Regulatory Counsel
Teligent, Inc.
8065 Leesburg Pike
Vienna, VA 22182

Russell Blau, Esq.
Richard M. Rindler, Esq.
Kathleen L. Greenan, Esq.
Morton J. Posner, Esq.
Swidler Berlin Shereff Friedman, LLP
3000 K Street, NW Suite 300
Washington, DC 20007

William P. Hunt, III, Esq.
Regulatory Counsel
Level 3 Communications, Inc.
1450 Infinite Drive
Louisville, CO 80027

Cathy Thurston, Esq.
State Regulatory Affairs/East
Sprint Communications Company, LP
1850 M Street, N.W., Suite 1100
Washington, DC 20036

Matthew H. Berns, Esq.
Focal Communications Corporation
200 North LaSalle Street
Chicago, IL 60601

John O. Postl, Esq.
William J. Rooney, Jr., Esq.
Global Naps, Inc.
10 Merrymount Road
Quincy, MA 02169

Scott Sawyer, Esq.
NEVD of Massachusetts, LLC
222 Richmond Street, Suite 206
Providence, RI 02903

Eric J. Krathwohl, Esq.
Rich, May, Bilodeau & Flaherty, P.C.
294 Washington Street
Boston, MA 02108

Jordan Michael, Esq.
CTC Communications Corp.
360 Second Avenue
Waltham, MA 02154

Helen M. Mickiewicz, Esq.
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Louise Rickard
Acting Executive Secretary
Connecticut Public Utilities Commission
10 Franklin Square
New Britain, CT 06051

Trina M. Bragdon, Esq.
Maine Public Utilities Commission
242 State Street
Augusta, ME 04333

Cheryl L. Callahan, Assistant General Counsel
Public Service Commission of the State of New York
Three Empire State Plaza
Albany, New York 12223-1350

David E. Screven, Esq.
Assistant Counsel
Pennsylvania Public Utilities Commission
PO Box 3265
Harrisburg, PA 17105

Philip F. McClelland, Esq.
Assistant Consumer Advocate
Office of Consumer Advocate
Office of Attorney General
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923

Joe Garcia, Chairman
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Levent Ileri
Division of Communications
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Cynthia B. Miller, Esq.
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Richard L. Mathias, Chairman
Illinois Commerce Commission
527 E. Capitol Avenue
PO Box 19280
Springfield, IL 62794-9280

Michael Guerra, Esq.
Hearing Examiner
Illinois Commerce Commission
527 E. Capitol Avenue
PO Box 19280
Springfield, IL 62794-9280

KENNY C. GUINN
Governor

STATE OF NEVADA
PUBLIC UTILITIES COMMISSION OF NEVADA

1150 East William Street
Carson City, Nevada 89701-3109
Policy (775) 687-6007 • Fax (775) 687-6110
Staff (775) 687-6001 • Fax (775) 687-6120

DOCKET FILE COPY ORIGINAL

JUL 23 1999
FCC MAIL ROOM
RURAL NEVADA
557 W. Silver Street, No. 207
Elko, Nevada 89801
(775) 738-4914 • Fax (775) 778-6928



SOUTHERN NEVADA OFFICE
555 E. Washington Avenue, No. 4500
Las Vegas, Nevada 89101
(702) 486-2600 • Fax (702) 486-2595

July 20, 1999

Ms Magalie Roman Salas
Executive Secretary
Federal Communications Commission
445 12th St., SW
Suite PW-A325
Washington, DC 20554

RE: CC Docket 96-98 NSD-L-98-121

Dear Ms. Salas:

The Nevada Public Utilities Commission has received a petition from Rio Virgin Telephone Company for a limited waiver of the 1+ IntraLATA dialing parity requirements. The petition has been assigned Docket No. 99-7002 and is being reviewed by the Regulatory Operations Staff. Rio Virgin is a small Incumbent Local Exchange Carrier and is considered a rural carrier under the Telecommunications Act of 1996. The Regulatory Operations Staff will complete its review of this docket and bring it to the Nevada Commission for an appropriate Order.

To date, the Nevada Commission has not received a petition from Paetec Communications, Inc. on the 1+ IntraLATA dialing parity issue. Paetec is a competitive provider of resold basic telecommunications services and holds CPC 2373 Sub 1.

If you need any further information, please call me at (775) 687-6057.

Sincerely,

Jeanne Hall Yaple

Jeanne Hall Yaple
Regulatory Analyst

cc Greg Cook, FCC
(202) 418-2345 (fax)

No. of Copies rec'd _____
List ABCDE



STATE OF MAINE
PUBLIC UTILITIES COMMISSION
242 STATE STREET
18 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0018

DOCKET FILE COPY ORIGINAL

THOMAS L. WELCH
CHAIRMAN

WILLIAM M. NUGENT
STEPHEN L. DIAMOND
COMMISSIONERS

July 20, 1999

Federal Communications Commission
Magalie Roman Salas, Secretary
The Portals
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: CC Docket No. 96-98
NSD File No. 98-121

Dear Ms. Salas:

RECEIVED
JUL 23 1999
FCC MAIL ROOM

As we stated in our June 22, 1999 letter, the following competitive local exchange carriers have filed intraLATA presubscription Implementation Plans ("Plans") with the Maine Public Utilities Commission ("MPUC"):

- | | | |
|----|--------------------------|----------------|
| 1. | Lightship Telcom, LLC | April 21, 1999 |
| 2. | AT&T | April 22, 1999 |
| 3. | CTC Communications, Inc. | May 4, 1999 |

Also, as we stated in our June 22, 1999 letter, we have examined these plans and find that they are substantially similar to those we have previously approved for incumbent independent local exchange carriers and see no reason why we will not approve tariffs incorporating those plans when they are filed with the MPUC. Accordingly, we request that the FCC defer any action on these plans to the MPUC. If you need any further information regarding this matter, please contact Trina Bragdon at (207)287-1392.

Sincerely,

Raymond Robichaud
Assistant Administrative Director
Maine Public Utilities Commission

cc: Network Services Division, CCB
Greg Cooke, CCB
Robin Smolen, FCC

No. of Copies rec'd 8
List ABCDE



PRINTED ON RECYCLED PAPER



Montana Public Service Commission

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson
Gary Feland
Bob Rowe

1701 Prospect Avenue
PO Box 202601
Helena, MT 59620-2601
Telephone: (406) 444-6199
FAX#: (406) 444-7618
<http://www.psc.state.mt.us>

DOCKET FILE COPY ORIGINAL

JUL 23 1999

July 20, 1999

Via Facsimile and Regular Mail

Magalie Roman-Salas
Secretary
Federal Communications Commission
445 12th Street SW, Suite PW-A325
Washington, D.C. 20554

Re: NSD File No. L98-121
CC Docket No. 96-98/
Toll Dialing Parity Plan of Eclipse Communications Corporation

Dear Ms. Roman-Salas:

Based on its interpretation of the FCC Order in this Docket (Adopted: March 19, 1999, Released: March 23, 1999), the Montana Public Service Commission (MPSC) staff informed Eclipse Communications that its dialing parity plan for Montana, filed after April 22, 1999, would have to be acted on by the FCC. Recently, FCC staff informed the MPSC that the FCC Order was not intended to preclude MPSC review and approval of the Eclipse plan. In light of this, FCC staff asked the MPSC whether it wanted to exercise jurisdiction over the Eclipse plan.

The MPSC considered the matter at a regularly scheduled work session on July 20, 1999, and concluded that at this point, given that the FCC has noticed the Eclipse plan, it would be most efficient for the FCC to finish its process and approve the plan. The MPSC appreciates the FCC staff bringing this matter to its attention, and looks forward to further consultation with the FCC about dialing parity plans as other CLECs begin to provide service in Montana.

Sincerely,

A handwritten signature in cursive script that reads "Dave Fisher".

Dave Fisher
Chairman

No. of Copies rec'd
List ABCDE

A handwritten mark, possibly a stylized "0" or a signature, written in ink.

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



July 20, 1999

JUL 23 1999

DOCKET FILE COPY ORIGINAL

Ms. Magalie Roman Salas, Secretary
Federal Communications Commission
445 12th Street S.W., Suite TWA325
Washington, DC 20554

Re: CC Docket 96-98 and NSD-L-98-121

Dear Ms. Salas,

The California Public Utilities Commission is currently in the process of reviewing the following Section 251(f)(2) Applications:

Calaveras Telephone Company
Cal-Ore Telephone Company
Ducor Telephone Company
Evans Telephone Company
Foresthill Telephone Company
Happy Valley Telephone Company
Hornitos Telephone Company
Kerman Telephone Company
Pinnacles Telephone Company
The Ponderosa Telephone Company
The Siskiyou Telephone Company
The Volcano Telephone Company

And IntraLATA Dialing Parity Plans filed by the following Competitive Local Carriers:

Teligent

Granted a suspension of 2 years following the commencement of Teligent's intraLATA toll service under provisions of Section 251(f)(2) of the Telecommunications Act of 1996.

Omniplex Communications Group

The subject of an open advice letter filing pending approval.

Winstar Wireless

The subject of an open advice letter filing pending approval.

No. of Copies rec'd
List ABCDE

1 copy

AT&T

The subject of an open advice letter filing pending approval.

Intermedia Communications

The subject of an open docket pending submission of materials.

The California Public Utilities Commission respectfully asks the Federal Communications Commission to defer to California in processing these applications and IntraLATA Dialing Parity Plans. We plan to complete our consideration of the applications by December 1999, and our consideration of the IntraLATA Dialing Parity Plans by October 1999.

Sincerely,



Lorann King
Regulatory Analyst
Market Structure Branch
Telecommunications Division

CC: Gregory M. Cooke, Esq., Network Services Division, Federal Communications Commission